

**ADMINISTRATIVE-INTERNAL USE ONLY**

17 August 1972

MEMORANDUM FOR THE RECORD

SUBJECT: Conversation with Robert Blum on His Outstanding Request  
to Review NIE-5 and Certain OSS Documents

1. Concerning NIE-5: In response to his call yesterday and based on the advice of Messrs. Houston and Maury, I called Robert Blum, Senate Foreign Relations Committee staff, to inform him that serious obstacles appeared to be developing over outside access to NIE's. I explained my understanding that serious legal reservations had arisen over the Agency's authority to permit outside access to NIE's, as a matter of principle. I reminded him that NIE's occupy a unique position in the Presidential decision making process. As an integral part of that process, their insulation from outside pressure, or public or political controversy, would appear to be essential if their independent objective judgment is to be preserved.

2. Blum said this seemed to be inconsistent with the position of the White House and the National Security Council, which had permitted him to review NSC memoranda. He said that they registered no concern over his review of NIE-5, but merely suggested that he go to Mr. Helms for it, inferring that there would be no problem. (Blum added that the age of NIE-5 and the fact that it had been "declassified" in the Pentagon Papers, to which I took exception, should weigh in his favor; but I told him that neither classification nor age were relevant to the principle which we were discussing.)

3. In response to his question whether the obstacles to which I was alluding could be overridden by the White House, I told him that at my level it would appear that the position of the White House would be controlling and again referred to the general elements of "executive privilege" without mentioning the term itself.

4. I reminded Blum that the Agency has gone to great lengths to be as helpful as we can to the Senate Foreign Relations Committee and suggested that if he felt that he was at an impasse with me on this, that he have Carl

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Marcy call Jack Maury. Under the circumstances Blum said he did not see what else he could do and would consider my suggestion.

5. Concerning OSS Documents: I explained that we were shorthanded but offered to attempt to pick up the threads on this for him; but he did not want to push us to the wall and said he would wait until [ ] returns on the 28th. I told Blum that I would ask [ ] to call him then. STATINTL

6. General: Mr. Blum was completely friendly throughout, although understandably perplexed by what he saw as inconsistencies between the White House and our position on NIE-5. However, he does not appear to be looking for an excuse for a confrontation as long as it can be avoided.



STATINTL

Assistant Legislative Counsel

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